

VZCZCXRO8132  
OO RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSR  
DE RUEHPS #0583/01 3291458  
ZNY CCCCC ZZH  
O 241458Z NOV 08  
FM AMEMBASSY PRISTINA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8608  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY  
RUEHNO/USMISSION USNATO PRIORITY 1084  
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK PRIORITY  
RUCNDT/USMISSION USUN NEW YORK PRIORITY 1563  
RHFMISS/AFSOUTH NAPLES IT PRIORITY  
RHMFISS/CDR TF FALCON PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RUEKJCS/SECDEF WASHINGTON DC PRIORITY  
RUEPGEA/CDR650THMIGP SHAPE BE PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
RUZEJAA/USNIC PRISTINA SR PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 PRISTINA 000583

SIPDIS

DEPT FOR DRL, INL, EUR/SCE  
NSC FOR HELGERSON

E.O. 12958: DECL: 11/20/2018

TAGS: [PGOV](#) [PINR](#) [KV](#) [UNMIK](#)

SUBJECT: KOSOVO: KOSOVO CHURCH MODERATES REMAIN IN KEY  
POSITION, DECANI LAND DISPUTE ENTERS COURT

REF: PRISTINA 435

Classified By: Ambassador Tina S. Kaidanow for Reasons 1.4 (b), (d)

¶1. (C) SUMMARY. The recently-held Sabor (Holy Assembly, or general bishops' meeting) of the Serbian Orthodox Church (SOC) ended with a positive result for the moderate monks of the Visoki Decani monastery in western Kosovo. (Note: Embassy Belgrade will report more generally on the Sabor, held in Belgrade Nov. 11 through 16, septel. End Note). Father Sava Janjic, a well-known moderate member of the Decani brotherhood, has informed us that, despite challenges from hard-line Bishop Artemije Radosavljevic, both he and Decani's moderate abbot -- Auxiliary Bishop Teodosije Sibalic -- will remain in the monastery. Artemije not only failed to oust them, but according to reports narrowly escaped SOC disciplinary measures himself. Sava's readout from the Sabor also describes the dissatisfaction among the younger, more moderate faction in the SOC with the failure of the Sabor to elect a new Patriarch. The preceding developments coincide with the beginning of a legal procedure we hope will culminate in the final settlement of a long-running land dispute involving property currently in use by the monastery. While we are heartened that Sava and Teodosije will remain in place, solving the Decani land dispute could prove a challenging task. END SUMMARY.

Worst Fears Avoided...

¶2. (C) On November 17, Father Sava Janjic of the Visoki Decani Serbian Orthodox monastery, located in Decani/Decane municipality (western Kosovo) called poloff to say that the recently-ended SOC Sabor had both reaffirmed church support for Decani's abbot, Bishop Teodosije Sibalic, and further isolated hardline Diocesan Bishop Artemije Radosavljevic, head of the Ras-Prizren diocese which includes Kosovo. During an earlier meeting (November 14), Sava had worried openly about the possibility that Artemije would somehow gain support during the then-ongoing Sabor for his efforts to punish the "disobedient" Teodosije. Private tensions between the two burst into public in late August when Artemije ordered Teodosije and Sava out of Decani, which is located within Artemije's diocese and therefore, technically, under his authority. A group of hardline monks attempted to enforce Artemije's decision and were ejected from the monastery by its moderate brotherhood. Unsuccessful in

subsequent attempts to pursue punitive action against Teodosije, Artemije, according to Sava, attempted to gain the support of other hardline SOC bishops during the Sabor. By November 17, however, Sava reported that he was "in a better mood," having been assured by Teodosije that Artemije had been beaten back.

...But Artemije Hangs On For Now

13. (C) Relating events as reported from the Sabor by Teodosije, Sava told us that the Decani monks suffered some disappointment, as their efforts to censure Artemije and restrict his activities also fell short of what they desired to achieve. Sava told us that Artemije made veiled threats of schismatic behavior in the event that the Sabor chose to depose or discipline him, which may have prevented stronger measures from being taken against him. Artemije was reportedly threatened by many bishops that he would face ecclesiastical court proceedings should he continue to attack Teodosije. Sava also reports that Artemije has allegedly given assurances he will "clean up" certain affairs in his diocese, such as shady business dealings and the unauthorized sale of church lands. Sava does not believe that Artemije will comply with the Sabor's demands, some of which have been made and ignored before. Nonetheless, Sava said he and Teodosije feel relieved by the outcome of the Sabor; reportedly, "not one voice" in the Sabor apart from Artemije's was raised against the Decani monks. In a public statement to Serbian Daily Vecernje Novosti on November 17, Metropolitan of Montenegro Amfilohije, who has assumed day-to-day responsibilities in managing the SOC during

PRISTINA 00000583 002 OF 003

Patriarch Pavle's illness, expressed thankfulness that the conflict between Teodosije and Artemije had been resolved and that Teodosije would remain at Decani.

SOC Moderates Dismayed

14. (C) Sava also commented on the general state of affairs in the SOC during the Sabor. Many younger, moderate bishops had assumed before the Sabor that a new Patriarch would be elected and are now disappointed that sitting Patriarch Pavle will continue on for life. Sava said he and other moderates are convinced that hardliners have manipulated Pavle into writing a letter declaring his desire to remain as Patriarch. Sava described Pavle as suffering from a benign tumor, frequently rendering him incoherent, but also enjoying periodic lucid intervals. Sava says that during a recent moment of lucidity, the elderly SOC leader actually expressed a desire to step down in "the best interests of the Church."

Decani Land Issue Update: Mayor Takes Tough Stance

15. (C) Also on November 14, we met with Mayor of Decani/Decane Musa Berisha to discuss resolution of the ongoing Decani land dispute with him (see reftel for description). The case was moved to the Kosovo Trust Agency Special Chamber of the Kosovo Supreme Court in June, and the first hearing was held on Monday, November 17. Berisha expressed appreciation for the Embassy's efforts to mediate/manage the dispute but told us that neither he nor any member of the Decani/Decane municipal assembly could ever accept a court ruling or any other outcome in which the monastery retained control of the land in question (some of which it has occupied and used since 1998). In that event, Berisha said he would resign immediately and would "not take any responsibility for what the citizens of Decane will do in response" to such an outcome. He warned us that "you don't know what kind of people are here in Decane," referring to hard-line former KLA fighters and others in the community with grievances against the monastery. Berisha also linked probable public outrage in Decani/Decane over the land issue with more general, Kosovo-wide dissatisfaction with the negotiations around the "six-points," saying that the timing of any judgment or decision should at least avoid coinciding

with this issue.

#### First Hearing Uneventful

¶6. (C) After consulting with Berisha and Sava about the land issue, we spoke with UNMIK Legal Advisor Ernst Tschoepke, who has been working to get the case into the Special Chamber. He advised us on the afternoon of November 14 that the initial hearing scheduled on the 17th needed to go forward so that the court could begin to sort out the claimants, determine which had standing to proceed, and frame the issues for decision. The hearing took place on schedule, and although the monastery did not send a representative, Berisha appeared on behalf of the municipality, along with lawyers from the defunct socially-owned enterprises (SOEs) which used the land prior to its transfer to the Serbian government in ¶1997. Tschoepke expressed surprise at this last development, given that the SOEs in question had been out of business - one for more than ten years - well before the monastery acquired the land. According to Kosovo law, only the Kosovo Trust Agency (KTA) or its successor, the Privatization Agency of Kosovo (PAK) is authorized to represent SOEs before the Special Chamber. Tschoepke reported that one of the court's first orders of business will be to determine who will - and will not - be permitted to represent the SOEs in the case. For his part, Sava explained that the monastery could not have appeared in court so soon after the Sabor, but would attend the next hearing, which is likely to be held in mid-December. Sava also expressed hope that the problem could be solved in the next few months, but understood the need for caution at the moment, given political sensitivities.

¶7. (C) COMMENT. We are heartened that Teodosije and Sava, key Kosovo Serb moderates with whom we enjoy a close and

PRISTINA 00000583 003 OF 003

cooperative relationship, have been reaffirmed in their positions. The extent to which they are free to cooperate with the Reconstruction Implementation Commission (RIC), EULEX, the ICO, and even the Kosovo government is the key -- perhaps only -- factor determining the SOC's viability in Kosovo and its ability to support Kosovo's Serb community. We are also encouraged that the Sabor has further circumscribed Bishop Artemije, whose increasingly acrimonious relationship with nearly every other actor in Kosovo has caused significant hardship to his church and been to the detriment of fellow Kosovo Serbs. The land dispute, however, remains a serious problem. The two sides -- the monastery and the municipality/SOEs -- cannot and have not met to discuss the issue, and they are diametrically opposed in their perceptions. We are hopeful that the court process will bring both groups to understand the value of a negotiated settlement rather than a high-stakes court decision. The most important benefit for all the residents of Decani/Decane would, in our opinion, be an improved relationship between the monastery's Serbs and the municipality's Albanians, which would pave the way for fruitful cooperation in the future. Achieving such a result in the current political atmosphere will be a challenge. END COMMENT.  
KAIDANOW